

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.1570 OF 2018

Yuvraj Polad Sonavane

Petitioner

Versus

The State of Maharashtra and Others

Respondents

Mr.H.P. Randhir advocate for the petitioner
Mr.P.K. Lakhotiya, AGP for Respondent No.1

CORAM : **R.M. BORDE & K.K. SONAWANE, JJ**

(Date: March 23rd, 2018)

PER COURT :-

1 This Court, by order dated 7.2.2018, directed the respondent to proceed to conduct the election scheduled on 9.2.2018, however, it was directed not to declare the result of the elections. It was further directed that the ballot shall be kept in a sealed envelope and shall be produced before this Court on the next date of hearing.

2 The petitioner claimed his entitlement to contest for post of Sarpanch since he belongs to scheduled caste (SC) category and was one of the contesting candidates at ward election. It is also stated in the petition that election programme to fill in vacancy of member, which occurred on account of demise of Sarpanch, has been declared. However, in the meanwhile, the meeting for

election of Sarpanch was prescribed. The petitioner, as such requested to defer the meeting for electing Sarpanch till completion of programme for election of post of member of village panchayat.

3 It is informed that the petitioner contested the election for membership from amongst SC category but suffered a defeat. Since the petitioner is not an elected member, he is not entitled to contest the election for the post of Sarpanch.

4 In these circumstances, since the petitioner, does not have any entitlement for the post of Sarpanch, the petition need not be continued and the interim relief granted earlier deserves to be vacated.

5 For the reasons as aforesaid, writ petition is dismissed. The interim relief granted on 7.2.2018 stands automatically vacated.

6 In view of disposal of the petition, pending Civil Application does not survive and stands disposed of.

(K.K. SONAWANE, J)

(R.M. BORDE, J)